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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

In re FLORENTINO R.,
A Person Coming Under the
Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

FLORENTINO R.,

Defendant and Appellant.

A159280

(Sonoma County
Super. Ct. No. 39328-J)

Minor Florentino R. was declared a ward by the juvenile court in Monterey County in September 2017 upon his admission to various offenses and placed on probation in his mother's home for two years. A year later, in September 2018, he admitted violating the conditions of his probation. His case was transferred to Sonoma County at that point. After a series of further admitted probation violations, he was placed in the Hanna Boys Center in August 2019. At a review hearing in December 2019 in the Sonoma County juvenile court, the probation department recommended dismissal of the case. The court granted dismissal, but declined Minor's

request to seal the records of the proceedings “due to unsuccessful performance on probation.”

This timely appeal claiming error in the refusal of Minor’s sealing request is from that order.

Acknowledging that sealing of the records of a juvenile delinquency proceeding upon dismissal of the proceeding is mandatory in the circumstances of this case, either under section 786, subdivision (a) of the Welfare and Institutions Code as interpreted and applied in *In re A.V.* (2017) 11 Cal.App.5th 697, or under recently enacted section 786, subdivision (e) of the Welfare and Institutions Code (Assem. Bill No. 529 (2017–2018 Reg. Sess.); see *In re W.R.* (2018) 22 Cal.App.5th 284, 291), the Attorney General concedes error.

We shall reverse and remand with directions to grant Minor’s sealing request.

Disposition

Reversed.

STREETER, J.

WE CONCUR:

POLLAK, P. J.
BROWN, J.